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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/649,888

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Hitoshi Ueda

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05/01/2006

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EXAMINER

PIZIALI, JEFFREY J

ART UNIT

PAPER NUMBER

2629

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/649,888

Applicant(s)

UEDA, HITOSHI

Examiner

Jeff Piziali

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Powers et al (US 5,469,540-A).

Regarding claim 1, Powers discloses a region selection device [Fig. 1; 48] which selects one region [Fig. 25; 310] from among a plurality of regions [Fig. 25; 310, 312, 314] displayed on a display screen [Fig. 1; 68], said device comprising: coordinate input means [Fig. 1; 42] for inputting coordinate information [Fig. 25; 44] to the display screen; a region table [Fig. 1; 55]

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which stores attributes of the plurality of regions [i.e. window layer ordering, active window, and inactive window information, for instance]; display means [Fig. 1; 40] for displaying the plurality of regions on the display screen in accordance with the attributes stored in the region table (see Column 6, Line 54 - Column 7, Line 19); region rearrangement means [Fig. 1; 42 & 46] for rearranging the plurality of regions on the display screen in accordance with at least one feature parameter [i.e. floating window attribute, for instance] thereof that is at least one of the attributes of the plurality of regions; and region selection means [Fig. 1; 46] for selecting a region [i.e. presentation window, for instance] by sequentially comparing a coordinate that is input via the coordinate input means with at least one of the regions rearranged by the region rearrangement means, when the regions displayed by the display screen lie on top of one another (see Column 12, Line 56 - Column 13, Line 29).

Regarding claim 2, Powers discloses the region table stores information [i.e. inactive window, for instance] indicating whether editing of a region [Fig. 25; 314] is prohibited as one of the attributes (see Column 12, Line 56 - Column 13, Line 29).

Regarding claim 3, Powers discloses the region selection means first decides whether a border [Fig. 2; 100] of a region is selected and then decides whether an inside [Fig. 2; 104] of the region is selected (see Column 7, Lines 23-52).

Regarding claim 4, this claim is rejected by the reasoning applied in rejecting claim 2.

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Regarding claim 5, Powers discloses the at least one feature parameter comprises an area [i.e. a window portion, for instance] of each region (see Fig. 25; Column 12, Line 56 - Column 13, Line 6).

Regarding claim 6, this claim is rejected by the reasoning applied in rejecting claim 2.

Regarding claim 7, Powers discloses the at least one feature parameter comprises a perimeter [i.e. a window border, for instance] of each region (see Fig. 25; Column 12, Line 56 - Column 13, Line 6).

Regarding claim 8, this claim is rejected by the reasoning applied in rejecting claim 2.

Regarding claim 9, Powers discloses the at least one feature parameter comprises both an area and a perimeter [i.e. a window border, for instance] of each region (see Fig. 25; Column 12, Line 56 - Column 13, Line 6).

Regarding claim 10, this claim is rejected by the reasoning applied in rejecting claim 2.

Regarding claim 11, this claim is rejected by the reasoning applied in rejecting claim 1.

Regarding claim 12, this claim is rejected by the reasoning applied in rejecting claims 1 and 11; furthermore, Powers discloses a computer readable storage medium having a program

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stored thereon that is executable by a computer system to cause the computer system to execute a process for selecting one region from among a plurality of regions displayed on a display screen, said process executed by the computer (see Fig. 1; Column 5, Lines 5-51).

Regarding claim 13, Powers discloses the region selection means sequentially compares the input coordinate with each of the regions until one of the regions is determined to be selected (see Column 12, Line 56 - Column 13, Line 29).

Regarding claim 14, this claim is rejected by the reasoning applied in rejecting claim 13.

Regarding claim 15, this claim is rejected by the reasoning applied in rejecting claim 13.

Response to Arguments

5. Applicant's arguments filed 16 February 2006 have been fully considered but they are not persuasive. The applicant contends the cited prior art of Powers et al (US 5,469,540 A) neglects teaching, "regions are automatically arranged in accordance with a feature parameter and a region is selected by comparing an input coordinate with at least one of the rearranged regions, when the regions displayed by the display screen lie on top of one another" (see Page 11, Paragraph 2 of the 'Amendment' filed on 16 February 2006). However, the examiner respectfully disagrees.

Firstly, in response to applicant's argument that the reference fails to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "regions are *automatically* arranged in accordance with a feature parameter") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Secondly, Powers clearly does disclose a region rearrangement means [Fig. 1; 42 & 46] for rearranging the plurality of regions on the display screen in accordance with at least one feature parameter [i.e. floating window attribute, for instance] thereof that is at least one of the attributes of the plurality of regions; and region selection means [Fig. 1; 46] for selecting a region [i.e. presentation window, for instance] by sequentially comparing a coordinate that is input via the coordinate input means with at least one of the regions rearranged by the region rearrangement means, when the regions displayed by the display screen lie on top of one another (see Column 12, Line 56 - Column 13, Line 29). For example, Powers states, "To render the

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underlying window [Fig. 25; 314] active, the user would place cursor [Fig. 25; 44] over some portion of window [Fig. 25; 314], and momentarily click switch [Fig. 1; 46]" (see Column 13, Lines 4-6).

By such reasoning, rejection of the claims is deemed necessary, proper, and thereby maintained at this time.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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The applicant is hereby notified that the examiner's art unit has recently changed from Art Unit 2673 to Art Unit 2629, please direct all future correspondence accordingly. Thank you.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Piziali whose telephone number is (571) 272-7678. The examiner can normally be reached on Monday - Friday (6:30AM - 3PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



J.P.
20 April 2006



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